



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Monzyk et al.

FOR : PHOTOLYTIC OXYGENATOR WITH
CARBON DIOXIDE AND/OR HYDROGEN
SEPARATION AND FIXATION

SERIAL NO. : 10/525,689

FILED : February 22, 2005

ART UNIT : Not Yet Assigned

CONFIRMATION NO. : 7655

ATTORNEY DOCKET NO. : 13483 PCT US (BATZ 2 00001-3(II)-3)

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION UNDER 37 CFR 1.63**

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Notice to File Missing Parts issued August 9, 2005 on the above-captioned patent application, a "Declaration For Patent Application" is enclosed as well as the return copy of the Patent Office's Notice to File Missing Parts.

The enclosed Declaration has been duly executed by the inventor(s).

The \$65.00 fee in payment of the surcharge required under 37 CFR 1.16(e) for filing the Declaration later than the filing date of the application is authorized to be charged to a credit card. The appropriate form PTO-2038 is enclosed for this purpose.

If the credit card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

The foregoing submissions are believed to meet the requirements of the Notice to File Missing Parts, and the applicant(s) await(s) further action on the application from the Patent and Trademark Office.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

August 22, 2005
Date

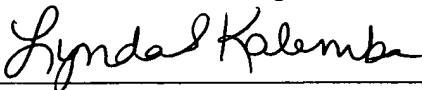


Richard M. Klein, Reg. No. 33,000
1100 Superior Avenue, 7th Floor
Cleveland, OH 44114-2579
216-861-5582

CERTIFICATE OF MAILING

I certify that this Response to Notice to File Missing Parts is being

- ☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to: MAIL STOP MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.
- ☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP MISSING PARTS, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

	Signature 
Date August 22, 2005	Printed Name Lynda S. Kalemba

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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RECEIVED Page 1 of 2

AUG 15 2005

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/525,689	Bruce F. Monzyk	BATZ 2 00001-3(II)-3 US
INTERNATIONAL APPLICATION NO.		
PCT/US03/26012		
I.A. FILING DATE	PRIORITY DATE	
08/21/2003	08/21/2002	

027885

FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP
1100 SUPERIOR AVENUE, SEVENTH FLOOR
CLEVELAND, OH 44114

CONFIRMATION NO. 7655
371 FORMALITIES LETTER



OC000000016720683

Date Mailed: 08/09/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/22/2005
- Copy of the International Search Report filed on 02/22/2005
- Information Disclosure Statements filed on 02/22/2005
- Small Entity Statement filed on 02/22/2005
- U.S. Basic National Fees filed on 02/22/2005
- Assignment filed on 02/22/2005
- Priority Documents filed on 02/22/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

DOCKETED

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/525,689	PCT/US03/26012	BATZ 2 00001-3(II)-3 US

FORM PCT/DO/EO/905 (371 Formalities Notice)